

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Lex Michael Gruzebeck,

File No. 19-cv-3035 (ECT/BRT)

Petitioner,

v.

**ORDER ACCEPTING REPORT  
AND RECOMMENDATION**

Warden Fikes, F.C.I. Sandstone,

Respondent.

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United States Magistrate Judge Becky R. Thorson issued a Report and Recommendation on January 29, 2020. ECF No. 4. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 4] is **ACCEPTED**;
2. The Petition for Writ of Habeas Corpus [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: March 6, 2020

s/ Eric C. Tostrud

Eric C. Tostrud  
United States District Court